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January 4, 2006

Attention Kien T. Nguyen, Primary Examiner
Commissioner For Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
Tel : 703-308-2493

Dear Examiner Nguyen:

Re: Application No: 10/701/202; filing date: 11/04/2003
Inventor: Benjamin Michael Lee

Thank you for your Office communication of 12/21/2005, in which you respond to our letter of 6 May 2005.

We have noted:

1a) "The period for reply expires 3 months from the mailing date of the final rejection," which we take to be 3 months from the mailing day of your Office communication of 12/21/2005.

We have also noted:

11. "The request for reconsideration has been considered but does NOT place the application in condition for allowance because applicant failed to specifically point out the differences between the Bonnell reference and the actual language in claim 1.

The purpose of this reply is to "specifically point out the differences between the Bonnell reference and the actual language in claim 1."

The portion of the apparatus of the Bonnell claim that is related to the applicant's claim is described in the Bonnell brief, as a "swing-hammock *support 2*" Figure 1, *or* "swing-hammock *frame 2*," Figure 1. The applicant's claim does not include a claim to patent the counterpart to the Bonnell swing support 1, Figure 1. Rather, the applicant claims a patent on a Hanging Chair Stand.

Specific differences: (to be read with our letter of May 6, 2005)

1) The tubular materials used to configure the Bonnell swing-hammock support 2 and the Hanging Chair Stand 100 are arranged very differently to create the respective support and stand. For example, the means of connecting the arms 2 in the Bonnell support is described in column 2 line 70 as "The frameworks 2 and 3 are joined at their upper ends by a coupler 4, better seen in Figure 4." As we look at Figure 4, we see that the semi-circular arms 2 *converge* at 4, so that the

swing support is then suspended from a single point below 4. In contrast, the arms 204A and 204B of Figures 1 and 2, of the applicant's Stand *diverge* from the intermediate connecting point 208A and 208B and extend upward until they are spread apart to suspend the hammock sling at two points, making a true "two-point" suspension hammock chair support stand, as compared to the "single point" suspension of Bonnell.

This dramatic difference between the two support stands is not apparent from the wording of the Bonnell Claim 1. So far as the Bonnell Claim 1 relates to a particular configuration, the Bonnell Claim 1 merely claims "a Swing-hammock, comprising a supporting frame...." We then must look to Column 2 line 67 to find an added description which says "framework 2 are circular arcs of any desired radius." It does not describe the shape of the rest of the frame. The diagrams of "the supporting frame" in Figures 1,2,3, etc are therefore impliedly incorporated by reference. We must look at the Bonnell diagrams to know what is claimed. When we do so, we see they are entirely different in shape, construction and concept from the applicant's claim 1.

By contrast, applicant's Claim 1 does contain a description of the shape of the entire frame, which reads as follows:

1. "Amended: A Hanging Chair Stand, comprising:
first and second support members each having an arm portion, a leg portion and an intermediate portion, the first and second support members coupled to one another at their intermediate portions;
the leg portions being substantially straight and adapted to rest on a base;
when resting on the base, the leg portion above which a hanging chair is to be suspended from an end of each arm portion;
the arm portions each having a curved shape; and
a pair of attachment members coupled to the ends of the arm portions, the attachment members adapted to suspend the hanging chair over the region defined by each leg portion and the imaginary line connecting the end of each leg portion."
- 2) A second substantial difference is the method of suspension. In column 3 line 5 Bonnell says, "Attached to the coupler 4 of the support 2 is one end of a flexible rope or chain 5, or the like, which has its other end attached to the swing-hammock. This suspension method enables the swing-hammock to swing in a horizontal manner, as well as to rotate horizontally approximately 180 degrees." By comparison the applicant's Claim 1 reads, "a pair of attachment members coupled to the ends of the arm portions, the attachment members adapted to suspend the hanging chair," etc. This again points out a specific difference between the two inventions, as applicant's Stand is intentionally designed to prevent rotation.
- 3) Another substantial difference lies in the method of the supporting legs. Bonnell states in column 3 line 23, "A cross member 6, and support cross member and legs 8 are attached to frameworks 2 and 3 respectively by means of joining clasp devices 7, shown in FIGURE 9." By contrast, the applicant's Claim shows no "support cross member" or any clasp device. This is one of the distinct advantages of the applicant's invention, which eliminates such encumbrances.

There are other differences that can be seen by viewing the respective diagrams. We submit that a view of the diagrams is an essential step in adequately evaluating the Bonnell claims, because of the sparsity of verbal description in the Bonnell claims. By contrast the applicant's



Verbal description is comprehensive.

The applicant respectfully submits that his claims are dramatically different from the claims of Bonnell, and that Bonnell does not anticipate or preempt the Hanging Chair Stand of the applicant.

Accordingly, the applicant respectfully requests that a patent be issued in protection of his claims.

Sincerely,


Dallas W. Lee

Enclosures:

RCE Form PTO/SB/30 (04-05)

Postcard acknowledging receipt.

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify this correspondence is being:

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1-4-06
Date


Signature

Dallas W. Lee
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